

CRIMINAL MEMORANDUM TO DOCKET CLERK

In the event that during an ongoing trial it becomes impossible to submit the original indictment to the docket clerk for the updating of docket entries, this form should be submitted in lieu of the indictment.

Before: Victor Marrero,
U.S.D.J.

DATE: September 9, 2008

:	:
: UNITED STATES OF AMERICA	: Docket #
:	:
:	: 07 CR 1066 (VM)
: -v-	:
:	:
: NORMAN HSU,	:
: Defendant.	:
:	:

This entry is exactly as it appears on the indictment:

The trial on this matter has been rescheduled to commence on January 12, 2009. Counsel for defendant (see attached letter) consents to the exclusion of time from the Speedy Trial Act until this date.

All parties to this action consent to the request and to an exclusion of the adjourned time from the Speedy Trial Act.

It is hereby ordered that the reasons conveyed to the Court for an adjournment warrant the exclusion of the adjourned time from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
9 September 2008



Victor Marrero
U.S.D.J.

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September 9, 2008

The Honorable Victor Marrero
United States District Judge
500 Pearl Street
New York, New York 10007

Re: United States v. Norman Hsu,
07 Cr. 1066 (VM)

Dear Judge Marrero:

I represent Mr. Hsu in the above-captioned case, and write to request that the trial – currently scheduled for November 3, 2008 – be adjourned until January 12, 2009. The Government has estimated that the trial will take about two weeks, and I have confirmed with your chambers that the January date is available. I have also spoken to Assistant United States Attorney Alex Willscher, who consents to the adjournment.

There are two reasons for the request. First, I have another trial scheduled to begin on November 12, 2008 before Judge Batts. I neglected to bring this to the Court's attention at the status conference on August 1, 2008 because I believed that one, if not both of these cases would be resolved without trial. Despite efforts by both sides to reach a disposition in this matter, however, it now appears that a trial is likely to go forward. (As of this writing, it appears that the matter before Judge Batts will also go to trial.)

Secondly, we expect trial preparation to be lengthy and intensive. The issues – allegations of a massive Ponzi scheme and campaign finance violations – are complex, and will require extensive investigation outside of New York. There is also a large amount of discovery – five computer hard drives, ten boxes of hard copy documents – that need to be synthesized.

For these reasons, we request that the trial be adjourned until January 12, 2009. **Mr. Hsu consents to the exclusion of time under the Speedy Trial Act.** Thank you for your consideration of this request.

Respectfully submitted,



Martin S. Cohen
Attorney for Norman Hsu
212-417-8737

cc: Alex Willscher, AUSA, via facsimile 212-637-2390